

6/1/2021

**COURTHOUSE**  
101 W. MAIN STREET  
ROOM 230  
NACOGDOCHES, TEXAS 75961

PHONE: (936) 560-7789  
FAX: (936) 560-7809  
jffleming@co.nacogdoches.tx.us

**JOHN T. FLEMING**  
COUNTY ATTORNEY

June 1, 2021

**CMRRR #7014 2120 0002 3113 9943**

**And Via Fax 936.236.6242**

Mr. Paul Anderson  
Paul Anderson, PLLC  
601 North St.  
Nacogdoches, Tx. 75961

**Re: CLARIFICATION REQUEST - Public Information Act Request, dated May 19, 2021**

Mr. Anderson:

On May 19, 2021, the Nacogdoches County Attorney's Office received an open records request from you requesting:

*"...please provide a copy of:*

- 1. The specific audio recording between Brandon Finchum and Paul Anderson;*
- 2. A copy of any and all communications including e-mails or text messages referencing the telephone call between attorney Paul Anderson and Brandon Finchum in your May 19<sup>th</sup> e-mail;*
- 3. A copy of any log, electronic record or written recording of any telephone call to and from the Nacogdoches Jail and related to Brandon Finchum since January 1, 2020;*
- 4. A copy of any communication, writing or electronic record of Nacogdoches County Attorney's office policy on attorney-client communications, including, but not limited to, monitoring telephone calls from inmates incarcerated in the Nacogdoches County Jail.*
- 5. A copy of any communications, writing or electronic record of Nacogdoches County Attorney's office admonishing, disciplining, or counseling the "employee" that listened to the confidential and privileged attorney-client recording referred to in your May 9<sup>th</sup>, 2021 e-mail.*
- 6. Please provide a copy of any communication, writing or electronic record created by the Nacogdoches County Attorney's office and referring to "taking steps to avoid this happening again" stated in your May 19<sup>th</sup>, 2021 e-mail."*

**Request #5**

I wanted to clarify the date you requested and, by doing so, avoid any confusion or duplication of a subsequent request. You requested information referred to in a "May 9<sup>th</sup>, 2021 e-mail." I am

unable to locate such e-mail. However, if you meant "May 19<sup>th</sup>, 2021 e-mail," let me know and I will be pleased to process your request under the Gov't Code Ch. 552.

*Pursuant to Section 552.222(b), our office is requesting **clarification of the date "May 9<sup>th</sup>, 2021."** If by the 61st day after the date the governmental body sends a written request for clarification of discussion under Texas Government Code 552.222(b) the governmental body does not receive a written response from the requestor, the underlying request for public information is considered to have been withdrawn by the requestor.*

I look forward to your reply.

Sincerely,

Steven Poston  
Assistant County Attorney